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**JUN 21 2002**

**OFFICE OF PETITIONS**

In re Application of	:	
Rawson Freeman	:	
Application No. 10/015,225	:	DECISION GRANTING
Filed: December 13, 2001	:	PETITION
Attorney Docket No. AUS920010796US1	:	

This is a decision on the petition filed May 13, 2002, requesting that the above-identified application be accorded a filing date of December 13, 2001, rather than the presently accorded date of December 17, 2001. The petition is properly treated as a petition under 37 CFR 1.10(c).

Applicant requests the earlier filing date on the basis that the application was purportedly deposited with the U. S. Postal Service (USPS) as Express Mail on December 13, 2001 pursuant to 37 CFR 1.10. In support, applicant has submitted a copy of Express Mail label No. ET420197679US showing an illegible handwritten "date-in." The same Express Mail receipt number appears on the original transmittal for Patent Application, which includes the Express Mail label number. Additionally, petitioner has provided other evidence, the USPS postmark date of December 13, 2001 and the Internet USPS Express Mail Tracking and Delivery Confirmation, which discloses that the package was, in fact, deposited on December 13, 2001.

In view of the USPS receipt stamp of December 13, 2001, appearing on the same Express Mail label, it is concluded that the application was deposited as "Express Mail" with the USPS on December 13, 2001.

The petition is **GRANTED**.

A corrected filing receipt showing the filing date of December 13, 2001, of the instant application accompanies the decision.

This application file is being forwarded to Technology Center 2100 for examination in due course.

Telephone inquiries concerning this decision may be directed to Marianne Morgan at (703) 306-3475.

A handwritten signature in black ink, appearing to read "Brian Hearn", with a stylized flourish at the end.

Brian Hearn  
Senior Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
For Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt